



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Appropriating Funds to the City Attorney Operating Account for Professional Services Rendered by Kronick Moskowitz Tiedemann & Girard for Serving in the Capacity of Deputy City Attorney (\$48,000) (CA)

MEETING DATE: February 4, 2004

PREPARED BY: Janet L. Hamilton, Management Analyst

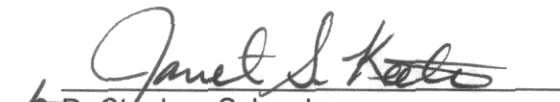
RECOMMENDED ACTION: To adopt a resolution appropriating funds to the City Attorney Operating Account for professional services rendered by Kronick Moskowitz Tiedeman & Girard for serving in the capacity of Deputy City Attorney (\$48,000).

BACKGROUND INFORMATION: By motion at the January 21, 2004 meeting, the City Council authorized that a contract be entered into between the City of Lodi and the law firm of Kronick Moskowitz Tiedemann & Girard to serve in the capacity of Deputy City Attorney to the Interim City Attorney until such time as the City selects special counsel to resume the Environmental Abatement Program litigation. The funding source for services regarding the Environmental Abatement Program will be the Water TCE/PCE account however funds will need to be appropriated to the City Attorney's operating account to cover support on unrelated issues. \$48,000 constitutes approximately six months wages for the Deputy City Attorney position.

This action is necessary as the City Attorney's budget cannot absorb these expenditures due to the final compensation severance package for the prior City Attorney.

FUNDING: Contingency


Vicky McAthie, Finance Director


Stephen Schwabauer
Interim City Attorney

DSS/jlh

cc: Richard Prima, Public Works Director

APPROVED: 
H. Dixon Flynn, City Manager

RESOLUTION NO. 2004-21

A RESOLUTION OF THE LODI CITY COUNCIL
APPROPRIATING FUNDS TO THE CITY
ATTORNEY OPERATING ACCOUNT FOR
PROFESSIONAL SERVICES RENDERED BY
KRONICK MOSKOVITZ TIEDEMANN & GIRARD

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WHEREAS, the City Council at its meeting held January 21, 2004, authorized a contract between the City of Lodi and the law firm of Kronick Moskowitz Tiedemann & Girard to perform the tasks typically assigned to the Deputy City Attorney until such time that the City Council selects special counsel to resume the Environmental Abatement Program litigation; and

WHEREAS, staff recommends that funds in the amount of \$48,000.00 be appropriated to the City Attorney's operating account to cover those functions.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby appropriate funds in the amount of \$48,000.00 to the City Attorney's operating account for the charges to be incurred by the law firm of Kronick Moskowitz Tiedemann & Girard while performing the tasks of the Deputy City Attorney position.

Dated: February 4, 2004

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I hereby certify that Resolution No. 2004-21 was passed and adopted by the Lodi City Council in a regular meeting held February 4, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk